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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,898	02/17/2005	Wilhelm Ernst Riedl	PTU020010	8416

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PATENT OPERATIONS
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EXAMINER

BEAMER, TEMICA M

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/524,898

Applicant(s)

RIEDL ET AL

Examiner

Temica M. Beamer

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/17/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Gärdenfors et al, Gärdenfors, U.S. Patent No. 6,633,550.

Regarding claims 1 and 6, Gärdenfors discloses a digital, non spread spectrum, cordless telephone (FCC compliant, col. 2, lines 25-35), comprising: a baseband circuit consisting of non-application specific circuitry, the non-application specific circuitry including Continuous Variable Slope Delta Modulation (CVSD) circuitry for encoding and decoding voice data; and a transmitter having Frequency Division Duplex (FDD) circuitry for transmitting the voice data at a Radio Frequency (RF) transmit power greater than 0dbm (col. 2, lines 51-65 and col. 5, lines 29-40).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gärdenfors.

Regarding claim 2, Gärdenfors discloses the digital cordless telephone of claim 1 as described above. Gärdenfors, however, fails to disclose wherein said transmitter limits the Power Spectral Density (PSD) of voice data transmissions to +8dbm i any 3kHz bandwidth.

Gärdenfors, however, does teach that the transmitter has power control circuitry (col. 7, lines 32-44).

Therefore, at the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Gärdenfors with the claimed power limitations since it is known that if a general teaching is disclosed, implementing workable ranges (power range) would require only routine skill in the art.

5. Claims 3, 4 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gärdenfors in view of Needle et al (Needle), U.S. Patent No. 5,091,941.

Regarding claims 3 and 4, Gärdenfors discloses the digital cordless telephone according to claim 1 as described above. Gärdenfors, however, fails to disclose wherein said baseband circuit further comprises: a self-synchronizing scrambler for scrambling the voice data; and a self-synchronizing de-scrambler for unscrambling the voice data wherein the scrambler and de-scrambler comprise a polynomial generator.

In a similar field of endeavor, Needle discloses a secure voice data transmission system. Needle further discloses the use of a voice scrambler and voice de-scrambler comprising polynomial generators (bits) (col. 2, lines 1-14, col. 3, lines 1-24).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Gärdenfors with the teachings of Needle for the purpose of having a secure communication.

Regarding claim 7, Gärdenfors discloses encoded voice data using Variable Slope Delta Modulation; and transmitting (260) the scrambled voice data using Frequency Division Duplex (FDD) and at a Radio Frequency (RF) transmit power greater than Odbm ((col. 2, lines 51-65 and col. 5, lines 29-40).

Gärdenfors, however, fails to disclose scrambling encoded voice data using a non SST.

Needle discloses the use of a voice scrambler (col. 2, lines 1-14, col. 3, lines 1-24).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Gärdenfors with the teachings of Needle for the purpose of having a secure communication.

Regarding claim 8, the combination of Gärdenfors and Needle discloses the method of claim 7 as described above. The combination, however, fails to disclose, wherein said transmitting step limits the Power Spectral Density (PSD) of the transmitted scrambled voice data to Vdbm in any 3kHz bandwidth.

Gårdenfors, however, does teach that the transmitter has power control circuitry (col. 7, lines 32-44).

Therefore, at the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Gårdenfors with the claimed power limitations since it is known that if a general teaching is disclosed, implementing workable ranges (power range) would require only routine skill in the art.

Regarding claim 9, the combination of Gårdenfors and Needle discloses the method of claim 7, wherein said transmitting step complies with Federal Communications Commission (FCC) Part 15 rule change (Gårdenfors, col. 2, lines 25-35).

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gårdenfors in view of Stevenson, U.S. patent No. 6,674,812.

Regarding claim 5, Gårdenfors discloses the digital cordless telephone according to claim 1 as described above. Gårdenfors, however, fails to disclose, wherein said baseband circuit further comprises a clock recovery circuit for generating a clock recovery signal based on an Exclusive-OR logic operation performed on the voice data and a time delayed version of the voice data, the clock recovery signal consisting of a plurality of pulses aligned with rising and falling edges of the voice data.

In a similar field of endeavor, Stevenson discloses high IF frequencies with a lower frequency logic based FSK modulation selecting a harmonic alias and

demodulation using sampling techniques. Stevenson further discloses the limitations of claim 5 (col. 5, lines 46-52, col. 12, lines 40-56).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Gärdenfors with the teachings of Stevenson for the purpose of providing precision to the communication path.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Beamer whose telephone number is (571) 272-7797. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 7:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

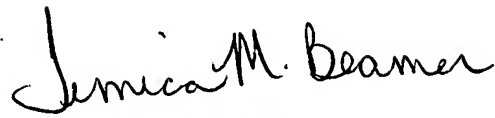
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Temica M. Beamer
Primary Examiner
Art Unit 2681

tmb



TEMICA BEAMER
PRIMARY EXAMINER

10/29/05